

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|----------------------|---|-----------|
| FRANK MENSAH, |) | |
| |) | ORDER |
| Plaintiff, |) | |
| |) | |
| vs. |) | 8:03CV80 |
| |) | |
| RENT-A-CENTER, INC., |) | |
| |) | |
| Defendant. |) | |
| |) | |
| TAJI GLASS, et al., |) | |
| |) | |
| Plaintiffs, |) | 8:04CV199 |
| |) | |
| vs. |) | |
| |) | |
| RENT A CENTER, |) | |
| |) | |
| Defendant. |) | |

Following a telephone conference with counsel for the parties on September 13, 2005, the plaintiffs' motions for an extension of time (Filing No. 134 in case number 8:03CV80; Filing No. 144 in case number 8:04CV199), are granted to the extent set forth below but are otherwise denied.

IT IS ORDERED:

1. The plaintiffs' motions for an extension of time (Filing No. 134 in case number 8:03CV80; Filing No. 144 in case number 8:04CV199), are granted to the extent set forth below but are otherwise denied.
2. **Deposition Deadline.** All depositions, whether or not they are intended to be used at trial, shall be completed by **November 28, 2005**.
3. **Pretrial Disclosures.** Pursuant to Fed. R. Civ. P. 26(a)(3), each party shall provide to all other parties the following information regarding the evidence that it may present

at trial other than solely for impeachment purposes as soon as practicable **but not later than the date specified:**

A. Nonexpert Witnesses - On or before October 20, 2005: The name, address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.

B. Deposition Testimony and Discovery - On or before January 17, 2006: 1) The portions of each deposition, designated by page and line, that it intends to offer and 2) each discovery response of another party it intends to offer. Such designations and any objections thereto shall also be included in the final pretrial conference order. **See** NECivR 16.2.

C. Trial Exhibits - On or before January 17, 2006: A list of all exhibits it expects to offer by providing a numbered listing and permitting examination of such exhibits. The parties shall also designate on the list those exhibits it may offer only if the need arises.

D. Waiver of Objections - Any objections to the use of witnesses, deposition designations, discovery responses, or exhibits shall be listed in the pretrial order. Failure to list objections (except those under Fed. R. Evid. 402 and 403) shall be deemed waived, unless excused by the court for good cause shown.

E. Filing of Disclosures - The filing of pretrial disclosures required by Fed. R. Civ. P. 26(a)(3) shall be deemed filed at the time of the filing of the Order on Final Pretrial Conference in this matter.

4. Motions in Limine. Any motions *in limine* shall be filed not later than **January 27, 2006.**

5. The Final Pretrial Conference with the undersigned magistrate judge is set for **February 3, 2006, at 11:00 a.m.** in chambers, Suite 2271, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The final pretrial conference

shall be attended by lead counsel for represented parties. Counsel shall complete prior to the pretrial conference, all items as directed in NECivR 16.2. By the time of the pretrial conference, full preparation for trial shall have been made so that trial may begin at any time during the session indicated below.

6. **Trial** is set to commence **at 8:30 a.m. on February 20, 2006**, in Omaha, Nebraska, before the Honorable Joseph F. Bataillon and a jury.

7. **Motions to Alter Dates.** All requests for changes of date settings shall be directed to the undersigned magistrate judge by appropriate motion. **However, no further extensions will be granted except on a showing by affidavit that it would constitute a manifest injustice if the requested extension were not granted.**

DATED this 14th day of September, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge